



February 8, 2012

1516 Ninth Street
Hearing Room A – First Floor
Sacramento, California 95814

10 a.m.

(Wheelchair Accessible)

THE COMMISSION WILL CONSIDER THE FOLLOWING ITEMS:

1. **CONSENT CALENDAR.** (Items on the Consent Calendar will be taken up and voted on as a group. A commissioner may request that an item be moved and discussed later in the meeting.)
 - a. **CITY OF SANTA MONICA.** Possible approval of the City of Santa Monica's locally adopted building energy standards to require greater energy efficiency than the *2008 Building Energy Efficiency Standards*. Contact: Joe Loyer.
 - b. **CITY OF NORCO.** Possible approval of Amendment 1 to Agreement CBG-09-046 with the City of Norco to change the scope of work and extend the agreement from March 30, 2012 to June 14, 2012. The city faced fiscal challenges and cost share funds for the original project were redirected. The city submitted a new project to utilize the grant funds that consists of retrofitting lighting at the City Hall, Community Center, Senior Center, and Pikes Peak Park. As a result, the budget is being reallocated. The grant amount of \$153,259 is unchanged. (EECBG funding.) Contact: Cheng Moua.
 - c. **COUNTY OF SUTTER.** Possible approval of Amendment 1 to Agreement CBG-09-131 with the County of Sutter to revise the budget and scope of work. The county has received free energy efficiency equipment and has requested to use the resulting savings to include LED parking lot lights and expand LED streetlight retrofits in the project. As a result, the county will realize additional energy savings without additional expense. The grant amount of \$141,606 is unchanged. (ARRA funding.) Contact: Shahid Chaudhry.
 - d. **BECKER ENGINEERING COMPANY.** Possible approval of Amendment 1 to Agreement PIR-08-011 with Becker Engineering Company for a 12-month no-cost time extension and a budget reallocation of \$27,960 due to loss of key project personnel. (PIER electricity funding.) Contact: Anish Gautam.
 - e. **SIDLEY AUSTIN LLP.** Possible approval of Amendment 1 to Contract 140-09-001 with Sidley Austin LLP for a two-year no-cost time extension for bond and tax legal assistance for the Energy Conservation Assistance Act Program revenue bonds. (ERPA funding.) Contact: Elizabeth Flores.

- f. BUILDING MEDIA INCORPORATED. Possible approval of Amendment 1 to Contract 400-08-004 with Building Media Incorporated for a one-year, no-cost time extension to March 13, 2013, for web hosting and maintenance of the California Energy Standards Online Learning Center. (DOE funding.) Contact: Suzie Chan.
 - g. STONE & WEBSTER, INC. Possible approval of Amendment 1 to Contract 500-10-037 with Stone & Webster, Inc. to extend the term to March 30, 2013 due to the time required to obtain Department of Energy approval of the revised WESTCARB grant Phase III. (PIER-federal funding.) Contact: Mike Gravely.
 - h. LAWRENCE BERKELEY NATIONAL LABORATORY. Possible approval of Amendment 2 to Contract 500-09-005 with Lawrence Berkeley National Laboratory for a no-cost time extension of 12 months. Amendment 1 was a transition from Lawrence Livermore National Laboratory to the Lawrence Berkeley National Laboratory (LBNL). This transition encountered excessive delays in the administrative and operational transition to LBNL. The transition is now complete and this extension allows time for the principal investigator to complete the remaining tasks on this effort. (PIER electricity funding.) Contact: Mike Gravely
2. STATE ENERGY PROGRAM GUIDELINES. Possible adoption of changes to the State Energy Program Guidelines to extend the program deadline from March 31, 2012 to April 30, 2012. Other non-substantive changes to the Guidelines are also being proposed for clarification purposes. Contact: Miki Crowell. (5 minutes)
 3. ARRA-FUNDED CONTRACTS AND LOANS. Possible approval of an Energy Commission resolution directing the Executive Director to amend certain Energy Commission contracts and loans, funded through the American Recovery and Reinvestment Act of 2009 (ARRA), to extend the term of these agreements by 30 days from March 31, 2012, to April 30, 2012, consistent with the Energy Commission's ARRA State Energy Program award from the U.S. Department of Energy. Contact: Gabe Herrera. (5 minutes)
 4. LOCAL GOVERNMENT COMMISSION. Possible approval of Amendment 2 to Contract 400-10-004 with the Local Government Commission. The amendment will extend the entire agreement for one month until April 30, 2012, consistent with item 3 on the Business Meeting agenda. It will also ensure that after April 30, 2012, the Energy Commission can still enforce the DOE requirements for the loan loss reserve and revolving loan fund aspects of the contract. The amendment will also reduce the contract by \$2 million to correct for estimated under-spending, for a new total of \$31,176,912; and revise the statement of work, budget, and terms and conditions. (ARRA funding.) Contact: Rebecca Menten. (5 minutes)
 5. CRHMFA HOMEBUYERS FUND. Possible approval of Amendment 3 to Contract 400-09-016 with CRHMFA Homebuyers Fund (CHF) for administration of the Moderate Income Sustainable Technology (MIST) Program. The amendment will extend the entire agreement for one month until April 30, 2012, consistent with item 3 on the Business Meeting agenda. It will also ensure that after April 30, 2012, the Energy Commission can still enforce the DOE requirements for the revolving loan fund aspects of the

contract. The amendment will also revise the budget to reallocate unexpended funds from specific categories to the program's revolving loan fund, and add up to \$3 million in spending authority contingent on funding availability and program performance. The MIST program provides grants and low interest loans with 15-year terms to moderate income homeowners in CHF Member and Associate Member jurisdictions through a revolving loan fund for whole home energy efficiency and renewable generation retrofits. Revisions will be made to the statement of work, budget, and terms and conditions. (ARRA funding) Contact: Adrian Ownby. (10 minutes)

6. ~~SAN FRANCISCO MAYOR'S OFFICE OF HOUSING. Possible approval of Amendment 1 to Contract 400-09-019 with the San Francisco Mayor's Office of Housing (SFMOH) for the Bay Area Multifamily Fund Program. The program provides financing through a revolving loan fund, for energy efficiency and renewable generation retrofits of affordable multifamily housing buildings in the Bay Area. The amendment will extend the entire agreement for one month until April 30, 2012, consistent with item 3 on the Business Meeting agenda. It will also ensure that after April 30, 2012, the Energy Commission can still enforce the DOE requirements for the loan loss reserve and revolving loan fund aspects of the contract. The amendment will also realign the remaining funding; provide a budget and matching scope of work for the extended administration and implementation of the program by SFMOH. Revisions will be made to the statement of work, budget, and terms and conditions. (ARRA funding.) Contact: Adrian Ownby. (10 minutes)~~
7. ASSOCIATION OF BAY AREA GOVERNMENTS. Possible approval of Amendment 3 to Contract 400-09-021 with the Association of Bay Area Governments to redirect existing funds into additional rebates for home energy retrofits and assessments (\$958,473), add \$600,000 to the contract for home energy retrofit and assessment rebates, and redirect funds into reporting and program management activities (\$5,124). The amendment also seeks to add contingency language to make sure all contract funds are spent effectively. Revisions will be made to the statement of work and budget. (ARRA funding.) Contact: Samuel Lerman. (5 minutes)
8. COUNTY OF LOS ANGELES INTERNAL SERVICES DEPARTMENT. Possible approval of Amendment 3 to Contract 400-09-024 to add up to \$8 million in spending authority contingent on funding availability and program performance for innovative financing options such as Residential Loan Loss Reserve Financing, Residential Interest Rate Buy Down Reserve Financing, Non-Residential PACE Loan Loss Reserve Financing, Multifamily Loan Loss Reserve Financing, and a Contractor Scholarship Revolving Loan Fund. The amendment will also ensure that the Energy Commission can still enforce the DOE requirements for these financing programs beyond the current term of the Agreement and add contingency language to make sure all contract funds are spent effectively. Revisions will be made to the statement of work, budget, and terms and conditions. (ARRA funding.) Contact: Samuel Lerman. (5 minutes)
9. ENERGY COMMISSION COMMITTEE APPOINTMENTS. Possible approval of appointments to the Energy Commission's Standing Committees and Siting Case Committees. Contact: Kevin Barker. (5 minutes)

10. ~~CITY OF CERES. Possible approval of Amendment 1 to Agreement 004-11-ECE-ARRA to increase the loan by \$142,860. The city will use the funds to retrofit 348 additional high pressure sodium and mercury vapor streetlights to LED. The project will save an estimated 1.49 million kilowatt hours of electricity and reduce the city's energy bills by \$121,487 annually, with a simple payback of 11 years based on the total loan amount of \$1,336,360. (ECAA and/or ARRA funding.) Contact: Anne Fisher. (5 minutes)~~
11. CITY OF PITTSBURG. Possible approval of Amendment 1 to Agreement 008-10-ECD to increase the loan from \$425,000 to \$675,000. The amendment increases the number of LED streetlight retrofits under the agreement, allowing the city to purchase and install 128 additional streetlights. The project is expected to save the city approximately \$65,000 annually and will have a 10.4 year payback based on the loan amount. (ECD funding.) Contact: Karen Perrin. (5 minutes)
12. VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT. Possible approval of Agreement ARV-11-002 with the Ventura County Air Pollution Control District for a \$200,000 grant to produce a comprehensive plug-in electric vehicle (PEV) readiness plan for the Central Coast Region, including Ventura, Santa Barbara and San Luis Obispo Counties to support the mass deployment of electric vehicles. The plan will include PEV infrastructure deployment; streamlined permitting, installation, and inspection processes; and consumer education and outreach. (ARFVTP funding.) Contact: Leslie Baroody. (5 minutes)
13. SAN DIEGO ASSOCIATION OF GOVERNMENTS. Possible approval of Agreement ARV-11-004 with San Diego Association of Governments (SANDAG) for a \$200,000 grant to produce a comprehensive plug-in-electric vehicle readiness plan for the San Diego Region to support the mass deployment of electric vehicles. The plan will leverage existing EV Project efforts, and will include plans for infrastructure deployment; streamlined permitting, installation, and inspection processes; and consumer education and outreach. (ARFVTP funding.) Contact: Leslie Baroody. (5 minutes)
14. BAY AREA AIR QUALITY MANAGEMENT DISTRICT. Possible approval of Agreement ARV-11-005 with Bay Area Air Quality Management District for a \$200,000 grant to produce a comprehensive plug-in electric vehicle readiness plan for the nine county Bay Area to support the mass deployment of electric vehicles over the next ten years. The project will include plans for PEV infrastructure deployment; streamlined permitting, installation and inspection processes; and consumer education and outreach. (ARFVT funding.) Contact: Leslie Baroody. (5 minutes)
15. SACRAMENTO AREA COUNCIL OF GOVERNMENTS. Possible approval of Agreement ARV-11-009 for a grant of \$200,000 to produce a comprehensive plug-in electric vehicle (PEV) plan to support the mass deployment of electric vehicles in the six-county Capitol Region.. This plan will include plans for PEV infrastructure deployment; streamlining of permitting, installation and inspection processes; and consumer education and outreach. (ARFVTP funding.) Contact: Leslie Baroody. (5 minutes)

16. WESTERN GOVERNORS' ASSOCIATION. Possible approval of Contract 150-11-004 to receive \$16,018 from the Western Governors' Association to continue state preparation for federal nuclear waste shipments to the Waste Isolation Pilot Plant in New Mexico and/or the Idaho National Laboratory in Idaho. (Reimbursement funding.) Contact: Barbara Byron. (5 minutes)
17. CALIFORNIA HIGHWAY PATROL. Possible approval of Contract 150-11-003 for \$11,108 with the California Highway Patrol (CHP) to reimburse the CHP for training, inspections and/or escorts for federal nuclear waste shipments in California. Contact: Barbara Byron. (5 minutes)
18. PACIFIC STORAGE COMPANY. Possible approval of Contract 200-11-012 for up to \$160,000 with Pacific Storage Company to provide moving services for two years, including ergonomic adjustments, modular panel reconfigurations, moving used furniture from the warehouse to Energy Commission and moving archived material to storage. (ERPA funding.) Contact: Sherryl Yourczek. (5 minutes)
19. DEPARTMENT OF WATER RESOURCES. Possible approval of Contract 200-11-013 for \$625,450 for a three-year Interagency Agreement (IAA) with the Department of Water Resources for information technology computer services referred to as "shared services." This IAA is the next logical step to meet the directives of Government Code sections 11545-11548.5. Examples of "shared services" include the use of virtual services, storage services, monitoring services, and business shared application services. (ERPA funding.) Contact: Rita Champlion. (5 minutes)
20. UNIVERSITY ENTERPRISES, INC. Possible approval of Contract 500-11-011 for \$83,355 with University Enterprises, Inc. to develop a nationally replicable model for California's Smart Grid workforce training and development. This award will be cost-share for the Contractor's American Recovery and Reinvestment Act of 2009 award of \$749,992. (PIER electricity funding.) Contact: Consuelo Sichon. (5 minutes)
21. UNIVERSITY OF CALIFORNIA, LOS ANGELES. Possible approval of Contract 500-11-012 for \$1.9 million with the Regents of the University of California on behalf of the Los Angeles campus to develop a multi-campus Center for Sustainable Communities. (PIER electricity funding.) Contact: Dan Gallagher. (5 minutes)
22. AMENDMENTS TO GEOTHERMAL REGULATIONS. Possible adoption of an order instituting a rulemaking to update and streamline California Code of Regulations, Title 20, sections 1660-1665. The regulations specify procedures for administering the Geothermal Grant and Loan Program under Public Resources Code, section 3822 et seq. Staff plans to update the regulations, simplify the application process, clarify the requirements for awards to private entities, and make other non-substantive changes. Contact: Cheryl Closson. (10 minutes)
23. ORDER INSTITUTING INFORMATIONAL PROCEEDING. Possible adoption of an order instituting an informational proceeding (OII) to gather and assess information for preparation of the 2012 Integrated Energy Policy Report (IEPR) Update and the 2013 IEPR, as required by Public Resources Code section 25302(a) and 25302(d). Contact: Suzanne Korosec. (10 minutes)

24. **2011 INTEGRATED ENERGY POLICY REPORT.** Possible adoption of the Lead Commissioner's *Final 2011 Integrated Energy Policy Report*.
Contact: Suzanne Korosec. (20 minutes)
25. **Minutes:** Possible approval of the January 12, 2012, Business Meeting Minutes.
26. **Lead Commissioner or Presiding Member Reports.** A Lead Commissioner on a policy matter may report to the Commission on the matter and discussion may follow. A Presiding Member on a delegated committee may report to the Commission on the matter and discussion may follow.
27. **Chief Counsel's Report:** The Energy Commission may adjourn to closed session with its legal counsel [Government Code Section 11126(e)] to discuss any of the following matters to which the Energy Commission is a party:
 - a. *In the Matter of U.S. Department of Energy (High Level Waste Repository)*, (Atomic Safety Licensing Board, CAB-04, 63-001-HLW);
 - b. *Public Utilities Commission of California* (Federal Energy Regulatory Commission, Docket No. EL10-64-000); *and Southern California Edison Company, et al.* (Federal Energy Regulatory Commission, Docket No. EL10-66-000);
 - c. *BNSF Railway Company v. US Department of Interior, California Energy Commission* (U.S. District Court Central District of California-Riverside, CV 10-10057 SVW (PJWx));
 - d. *Richard Latteri v. Energy Resources, Conservation and Development Commission, et al.* (Sacramento County Superior Court, 34-2011-99985);
 - e. *Communities for a Better Environment, Robert Sarvey v. California Public Utilities Commission, Energy Resources Conservation and Development Commission, Real Parties in Interest, Pacific Gas and Electric Company, Contra Costa Generating Station, LLC* (California Supreme Court, S194079).

The Energy Commission may also discuss any judicial or administrative proceeding that was formally initiated after this agenda was published; or determine whether facts and circumstances exist that warrant the initiation of litigation; or that constitute a significant exposure to litigation against the Commission.

28. **Executive Director's Report.**
29. **Public Adviser's Report.**
30. **Public Comment:** People may speak up to five minutes on any matter concerning the Energy Commission, with the exception of items appearing elsewhere on this agenda or items related to pending adjudicative (certification or enforcement) proceedings.

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Adjournment of Hearings and Meetings: Depending upon time available and the orderly management of proceedings, the Commission may order adjournment (recess or postponement) of any noticed hearing or meeting, to be continued to the next day, another specific date or time, or to the next business meeting, as appropriate. Any such adjournment will be noticed at the time the order of adjournment is made. (Government Code §§11128.5, 11129.)